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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/568,649 | 02/16/2006 | Giorgio Terenghi | TEPH 109 | 4566 |
| 23579 7590 12/04/2008 PATREA L. PABST PABST PATENT GROUP LLP 400 COLONY SQUARE, SUITE 1200 1201 PEACHTREE STREET ATLANTA, GA 30361 | | | | |
| EXAMINER | | | | |
| WANG, CHANG YU | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 1649 | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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| 10568649 | 2/16/2006 | TERENGHI ET AL. | TEPH 109 |

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EXAMINER

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| ART UNIT | PAPER |
|----------|----------|
| 1649 | 20081202 |

DATE MAILED:

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Commissioner for Patents

The reply brief filed October 20, 2008 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal. The PCT references cited in the Evidence Appendix were not considered except the one was cited by the Examiner (WO01/54593) as indicated on p. 4 of the examiner answer. In addition, the IDS submitted on 10/03/08 and 11/12/08 are not entered because they constitute new evidence and fail to comply with 37 CFR 1.97 & 1.98 (lack of a concise explanation of the relevance and lack of a legible copy). See MPEP 609.04-(b)-III & 37CFR 1.97 & 1.98 for proper submission of IDS after final. Furthermore, Appellants' arguments were previously presented in the Brief and have been answered in the examiner answer mailed 8/19/08. Appellant's reply brief substantially repeats what was previously presented in the Brief and all arguments have been addressed in the Examiner's Answer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chang-Yu Wang whose telephone number is (571) 272-4521. The examiner can normally be reached on Monday-Thursday from 8:30 AM to 6:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Stucker, can be reached at (571) 272-0911.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/CYW/
Chang-Yu Wang, Ph.D.
December 2, 2008

/Christine J Saoud/
Primary Examiner, Art Unit 1647